

REMARKS

Status of the Claims

The Applicants wish to thank the Examiner for allowing claim 22.

Claims 3-4, 9-14, 20-22 were under examination. Claims 3 and 4 have been canceled. Claims 9, 11, 12, 13, 14, 20, 21 and 22 have been amended. No new matter has been added.

Amendment to the Specification

The Specification has been amended to remove typographical errors and inconsistencies in sequences. Support for amendment to paragraph [0010] can be found at least in FIG. 1, 3A and 7 and Sequence Listings at SEQ ID NO: 18, 19, 20, 26 and 32. Support for amendment to paragraph [0022] can be found at least in FIG. 1 and Sequence Listings at SEQ ID NO: 18, 19 and 20.

A substitute sequence listing is submitted to correct the inadvertent omission of a Gly residue in SEQ ID NO:2. Support for this can be found at least in FIG. 1, 3A and 7 and SEQ ID NO: 18, 19, 20, 26 and 32. The substitute sequence listing includes no new matter.

Amendment to the Claims

Independent claims 9 and 12 have been amended to uniquely identify the claimed sequences by SEQ ID NO. Support for this amendment can be found throughout the specification, at least at paragraphs [0008] through [0015] of the published application; FIG. 1, 2, 6 and 7; and Sequence Listings at SEQ ID NO: 1-6.

Dependent claims 12 and 14 have been amended to add the word "cell" in order to make the claimed subject matter more definite. Support for this amendment can be found throughout the specification, at least at paragraphs [0018], [0041], [0056], [0068]- [0070], [0099] and [0104] of the published application.

Dependent claim 13 has been amended to remove the word WI2.

Independent claims 20 and 21 have been amended to specifically and uniquely identify the claimed sequences by SEQ ID NO. as indicated by the Examiner. Support for this amendment can be found throughout the specification, at least at paragraphs [0006] through [0015] of the published application; FIG. 1, 2, 6 and 7 and Sequence Listings at SEQ ID NO: 1-6, 18 and 22.

Independent claim 22 was allowed by the Examiner and has been amended to remove

any ambiguity as to the claimed subject matter by adding the phrase “and the anti-idiotypic antibody or fragment comprises.” Claim 22 has also been amended to remove the error in the claimed sequence CDR-2. Support for this amendment can be found at least in FIG. 1, 3A and 7 and Sequence Listings at SEQ ID NO: 2, 18 19, 20, 26 and 32.

Rejection of Claims Under 35 USC 112, 2nd Paragraph

On page 3, the Action states that claims 20 and 21 are vague and indefinite in the recitation of “rWI2” as the sole means of identifying the expressed gene referred to in claims 20 and 21. The Action further states that amending the claims to specifically and uniquely identify rWI2 by SEQ ID NO. can obviate this rejection. The applicants have overcome this rejection by amending claims 20 and 21 to remove the word rWI2 and replace it with a specific and unique sequence.

Rejection of Claims Under 35 USC 112, 1st Paragraph, Written Description

On page 3 the Action states that claims 9-14 are rejected for failing to comply with the written description requirement. On pages 6-7 the action admits that the specification contains adequate disclosure for rWI2 (Rat), hWI2 (humanized) and cWI2 (chimeric). However, the Action notes that “the specification neither discloses a general antibody WI2 as claimed nor does it provide any information as to what WI2 is and if it is well known in the art. Also the specification does not teach any SEQ ID NO.”

The Applicants respectfully traverse this rejection. However, in the interest of advancing prosecution, independent claims 9 and 12 have been amended to remove the recitation of WI2. The claims now recite the CDR sequences found in the rat, humanized and chimeric WI2 heavy and light chain variable regions. Applicants respectfully submit that amended claims 9 and 12 are now in condition for allowance. Since dependent claims 10-11 and 13-14 contain all of the elements of claims 9 and 12 respectively plus additional elements, Applicants respectfully submit that claims 10-11 and 13-14 are also in condition for allowance.

CONCLUSION

For the reasons stated above, Applicants submit that claims 9-14 and 20-22 are in condition for allowance.

Respectfully submitted,

FAEGRE & BENSON LLP
Customer Number: 35657

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By: /Rita Sanzgiri/

Reg. No. 59846
Telephone: 303-447-7720